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latest edition is there a profound appreciation of the influence of social and economic forces in the development of the law.

The first chapter, devoted as it is to "Theory and Doctrine of Tort," contains a discussion of legal right, which is deserving of most careful consideration, and has a far wider bearing than a simple preface to the study of tort law. It is an examination of the fundamental conditions which find expression in the decisions of tribunals and consequently in the shaping and moulding of the body of the law.

Tort liability is considered under two heads, that resulting from acts involving a "Culpable Mind" and that resulting from acts the effect of an "Inculpable Mind," and the rules applicable in each case are correlated, and their connection pointed out. It will, perhaps, be a surprise to some to find "Negligence," discussed under the head of "Culpable Mind," but the author's reasons for this classification will be found to be of no little interest, and deserving, as in fact the whole treatise is, of serious consideration.

Of special importance, however, is the recognition given by the author to what he designates a new point of view emerging out of the agitation of social movements within recent years. This he describes as the struggle between equality and inequality—between the public and privilege, and between privilege as capital and privilege as labor—illustrated by such cases as *Rice v. Albee*, 164 Mass. 88, and *May v. Wood*, 172 Mass. 11, in this country, and *Allen v. Flood* (1898), A. C. 1, in England. The serious part played by the principles appearing in these decisions has, of course, not failed of recognition, but they receive in this volume a treatment adequate and exhaustive.

There is no doubt that the present edition of this work will add largely to its claim on the profession, and establish still further the well-earned reputaton it has already secured.

H. W. B.

THE LAW OF PRIVATE CORPORATIONS. By WILLIAM L. CLARK, Jr., Instructor in Law in the Catholic University of America. Second Edition, by FRANCIS B. TIFFANY. Hornbook Series. St. Paul, Minn.: West Publishing Co. 1907. Pp. xv, 721.

The special features of the Hornbook Series of legal text books, the succinct statement of the leading principles in black-letter type, the more extended commentary, elucidating the principles, and the notes and authorities, have found general favor with a large part of the profession. The present volume is prepared in the usual form, and follows closely the lines of

the original work. However a thorough examination of the decisions rendered in the ten years since the publication of the first edition has been made, and a full citation of these is now included, together with certain additions to and modifications of the text.

Mr. Clark in treating with special care the doctrines in regard to corporations *de facto*, estoppel to deny corporate existence, subscriptions to stock prior to incorporation and watered stock, and the now exploded but still important trust fund theory, has shown a comprehension of the topics of unusual difficulty, which has given to his treatise great practical value.

As a discussion of the principles applicable to corporations generally the book has proved its merit. More than this could not be expected in a volume of its restricted limits.

H. W. B.

SELECT ESSAYS IN ANGLO-AMERICAN LEGAL HISTORY. By Various Authors; Compiled and Edited by a Committee of The Association of American Law Schools. In three volumes. Volume I. Boston: Little, Brown & Co. 1907. Pp. x, 847.

This collection of essays on topics in Anglo-American Legal History is being made under the supervision of the Association of American Law Schools, and represents the outgrowth of a movement now of several years standing within that body. It was believed that a great deal of valuable work has been done in the effort to construct various parts of our legal history, but that the results of this labor were so scattered and difficult of access as to make them not easily available to the student. To remedy this, it was proposed to collect from all sources the best discussions extant, and reprint them in a form suitable for the profession. The committee appointed to take the matter under consideration reported in favor thereof, and the present volume constitutes the first fruits of their labor. A second volume is promised for 1908 and a third for 1909.

The general purpose of the editors has been to supplement the great treatise of Sir Frederick Pollock and Professor Maitland on the History of English Law. The collection has been made with the utmost care, lists of articles being made, considered, reconsidered, submitted to experts, and finally being reduced to one hundred and fifty titles as set forth in the Reports of the American Bar Association for 1906 (Vol. II, pp. 191, ff.). It is proposed to reduce this number still further so that the essays finally published will probably not exceed seventy-five.